

**REMARKS**

Claims 2, 6, 7, 9, 11, 14, 16-19, 32-36, 38, 39, 41-46 and 48 have been amended. Claims 1, 8, 31, 40 and 47 have been canceled. Claims 2-7, 9-30, 32-39, 41-46 and 48 remain in the application for consideration. In view of the following remarks, Applicant respectfully requests withdrawal of the rejections and forwarding of the application onto issuance.

**Specification Objection**

The abstract has been objected to as containing too many words. The abstract section has been amended to contain less than 150 words thus overcoming the Office's objection.

**Claim Objections**

Claims 17-19, 28-30, 38, 39, 45 and 46 stand rejected under 37 CFR 1.75(c) as being of improper dependent form for failing to limit the subject matter of a previous claim. Applicant respectfully disagrees.

Section 1.75(c) of Title 37 of the CFR states, in pertinent part:

One or more claims may be presented in dependent form, referring back to and further limiting another claim or claims in the same application.

\*\*\*

Claims in dependent form shall be construed to include all the limitations of the claim incorporated by reference into the dependent claim.

\*\*\*

Claim 17, as amended, depends from claim 2 and recites "[a] portable computing device programmed with instructions that implement the method of

1 claim 2.” Thus claim 17 is an *apparatus* claim. Claim 2, in turn, is a *method*  
2 claim that recites a method of operating a portable device. As written, claim 17  
3 refers back to and further limits claim 2 in accordance with 37 CFR 1.75(c).  
4 Specifically, as written, claim 2 covers the *specific method* recited therein. Claim  
5 17, however, recites a portable computing device programmed with instructions  
6 that implement the method of claim 2. Thus, claim 17 further limits the subject  
7 matter of claim 2 by reciting a different statutory class of subject matter.

8 Applicant can find nothing in Title 37 of the CFR or in the MPEP which  
9 proscribes this type of claim. As such, Applicant respectfully submits that claim  
10 17, as well as claims 18, 19, 28-30, 38, 39, 45 and 46 are in proper dependent form  
11 and are fully compliant with Title 37 of the CFR.

### 12 13 The Claim Rejections

14 Claims 1, 6-7, 9-19, 31, 35, 38-40, 42 and 44-47 stand rejected under 35  
15 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,533,875 to Dowling et al.  
16 (hereinafter “Dowling”).

17 Claims 2-5, 8, 20-21, 23-27, 30, 32-34, 36, 41, 43 and 48 stand rejected  
18 under 35 U.S.C. §103(a) as being unpatentable over Dowling in view of U.S.  
19 Patent No. 6,343,291 to Goldman.

20 Claims 22 and 37 stand rejected under 35 U.S.C. §103(a) as being  
21 unpatentable over Dowling and Goldman in further view of a reference to Fulton  
22 entitled “Computer Maintenance, Part 1 First Step: Spring Cleaning”, (hereinafter  
23 “Fulton”).  
24  
25

1        **The §103 Standard**

2        In making out a §103 rejection, the Federal Circuit has stated that when one  
3        or more reference or source of prior art is required in establishing obviousness, “it  
4        is necessary to ascertain whether the prior art *teachings* would appear to be  
5        sufficient to one of ordinary skill in the art to suggest making the claimed  
6        substitutions or other modification.” *In re Fine*, 5 USPQ 2d, 1596, 1598 (Fed. Cir.  
7        1988). That is, to make out a *prima facie* case of obviousness, the references must  
8        be examined to ascertain whether the combined *teachings* render the claimed  
9        subject matter obvious. *In re Wood*, 202 USPQ 171, 174 (C.C.P.A. 1979).

10       Moreover, there is a requirement that there must be some reason,  
11       suggestion, or motivation *from the prior art*, as a whole, for the person of ordinary  
12       skill to have combined or modified the references. *See, In re Geiger*, 2 USPQ 2d  
13       1276, 1278 (Fed. Cir. 1987). Additionally, *particular findings* must be made as to  
14       the reason the skilled artisan, with no knowledge of the claimed invention, would  
15       have selected these components for combination in the manner claimed. *See, e.g.,*  
16       *In Re Kotzab*, 217 F.3d 1365, 1371, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000).

17       It is impermissible to use the claimed invention as an instruction manual or  
18       “template” to piece together the teachings of the prior art so that the claimed  
19       invention is rendered obvious. One cannot use hindsight reconstruction to pick  
20       and choose among isolated disclosures in the prior art to deprecate the claimed  
21       invention. *In re Fritch*, 23 USPQ 2d 1780, 1784 (Fed. Cir. 1992).

22       A factor cutting against a finding of motivation to combine or modify the  
23       prior art is when the prior art *teaches away* from the claimed combination. A  
24       reference is said to teach away when a person of ordinary skill, upon reading the  
25

1 reference, would be led in a direction divergent from the path that the applicant  
2 took. *In re Gurley*, 31 USPQ 2d 1130, 1131 (Fed. Cir 1994).

3 In order for a *prima facie* case of obviousness to be made, the resulting  
4 combination or motivation must appear to show or suggest the claimed invention.  
5 *In re Nielson*, 2 USPQ 2d1525, 1528 (Fed. Cir. 1987).

6 In view of the standard for establishing a *prima facie* case of obviousness,  
7 Applicant respectfully disagrees with the Office's rejections of the present claims  
8 and submits that the Office has not established a *prima facie* case of obviousness  
9 for those claims that are rejected under §103(a).

#### 11 Applicant's Disclosure

12 Applicant's disclosure is directed to environment-interactive context-aware  
13 devices, methods and architectures. As noted in the specification, the various  
14 devices, methods and architectures support environment interactivity in that such  
15 devices, methods and architectures are able to interact with their location  
16 environment in a manner that is specific to the location. See, e.g. page 51, lines 2-  
17 18.

#### 19 The Goldman Reference

20 Goldman is directed to apparatus and methods for accessing an information  
21 repository. Goldman teaches systems and methods for using an information model  
22 to create a location tree in a hierarchy of information based on one or more  
23 information repositories. See, e.g. column 1, lines 5-11.

24 In Goldman's background section, Goldman describes aspects of the  
25 environments in which its teachings apply. Specifically, Goldman instructs that

1 information repositories, i.e. databases, typically hold a wealth of information, but  
2 that accessing such information can be difficult and inefficient. See, e.g. column  
3 1, line 32 through column 2, line 40. Thus, as noted by Goldman in the  
4 concluding paragraph of its background section, "a need exists...for meaningful  
5 and easy access to information in an information repository that provides the detail  
6 of information available from a custom program without the time and expense of  
7 creating one...."

8 Thus, Goldman's teachings are directed to systems that process information  
9 associated with a database, including such things as records, fields and the like,  
10 and presenting them to a user in a purportedly more organized and useful form.  
11 Perhaps Goldman's teachings are best appreciated starting with an excerpt that  
12 begins in column 8, at line 7, which excerpt is reproduced below for the  
13 convenience of the Office:

14  
15 Using an information model to create a hierarchy allows the user to  
16 see two things. *First, a hierarchy gives a user the ability to see how*  
17 *information in an information repository is organized and the*  
18 *relationship between information in the information repository via*  
19 *derived containers that represent user-defined categories of the*  
20 *information.* Secondly, derived containers in a derived hierarchy allow a  
21 user to view logical subsets of information in the information repository.  
22 For example, an information model can be used to create a database  
23 hierarchy that hierarchically and logically presents information in a  
24 database to a user.

25 In presenting a hierarchical and logical view of information in a  
database, an information model allows a user to see two things. First, a  
hierarchy gives a user the ability to see how data in a database is organized  
and the relationship between data, i.e. fields, in the database. When a  
derived hierarchy is created in a preferred embodiment, derived containers  
are displayed such that hierarchical organization is conveyed to the user. In  
other words, a derived container can convey a category of information in  
the database as defined by its corresponding value-defined container

1 definition node. A category of information corresponds to a field from the  
2 database from which its selection criteria is based, and the field can be used  
3 to create a label of the derived container. In a first embodiment, then, each  
4 derived container represents a category of information. Furthermore, if a  
5 derived container corresponds to a value-defined container definition node  
6 in the second level of information in the information model, a user interface  
7 can convey this sense of hierarchy by indenting the label of the derived  
8 container in a list user interface, or presenting a secondary window in a  
9 graphical window interface, for example.

10 *Secondly, derived containers in a hierarchy allow a user to view*  
11 *logical subsets of database records, which are determined by a combined*  
12 *selection criteria attribute of a derived container.* Records that are actually  
13 extracted from a database using a derived container's combined selection  
14 criteria attribute, as will be discussed, are referred to as extracted records.  
15 In a preferred embodiment, records are only extracted at a leaf derived  
16 container (or a derived container corresponding to a leaf value-defined  
17 container definition node), although it is also within the scope of this  
18 invention that records may be extracted at any derived container.

19 *In summary, an information model defines how a hierarchy is*  
20 *presented to a user as determined by the contents of one or more derived*  
21 *containers....*

## 22 The Claimed Subject Matter

23 **Claim 2** has been rewritten in independent form to include all of the  
24 limitations from claim 1 from which it formerly depended. As amended, claim 2  
25 recites a method of operating a portable computing device comprising:

- 26 • determining a location of the portable computing device by  
27 accessing one or more hierarchical tree structures each of which  
28 comprising multiple nodes that represent physical or logical  
29 locations; and traversing at least one node on the one or more  
30 hierarchical tree structures to ascertain a device location;
- 31 • acquiring digital data associated with the determined location and  
32 that can permit the portable computing device to interact with a  
33 location environment; and  
34 interacting with the location environment based, at least in part, on  
35 the acquired digital data.

1  
2 In making out the rejection of this claim, the Office argues that Dowling  
3 discloses the subject matter of this claim, except for "hierarchical tree structures,  
4 wherein nodes would be traversed to access the information concerning the device  
5 location." See, Office Action, page 7, paragraph 4. The Office then argues that  
6 Goldman discloses "creating and using an organized hierarchical structure with  
7 nodes representing location based information, wherein the tree would be  
8 traversed to access a specific node containing information that is needed." Based  
9 on this, the Office argues that it would be obvious to incorporate Goldman's  
10 teaching in Dowling's system to render the claimed subject matter obvious. The  
11 Office reasons that Dowling discloses using "some kind of database storage  
12 structure" and that Goldman teaches taking a database and using a hierarchical  
13 structure to provide a better organized structure where information can be easily  
14 accessed.

15 Applicant respectfully disagrees with the Office's interpretation and  
16 application of the references and submits that the Office has not established a  
17 *prima facie* case of obviousness.

18 First, consider Goldman's *specific teachings* against the backdrop of the  
19 problem described in its background section. Specifically, Goldman is concerned  
20 with providing a meaningful and easy way to access information in an information  
21 repository, i.e. a database, that provides the detail of information available from a  
22 custom program without the time and expense of creating one, as well as the cost-  
23 effectiveness of querying an information repository without the uncertainties of  
24 results and the inefficiencies in obtaining them. See, e.g. column 2, lines 41-50.  
25

1 Goldman's solutions, as described in the excerpt above, are directed to  
2 using an information model to create a hierarchy that allows a user to *see* two  
3 things—first, the user can *see* how information in an information repository is  
4 organized and various information relationships, e.g. relationships between data  
5 such as database fields and records in the database. Second, Goldman's database-  
6 derived hierarchy allows a user to *view* logical subsets of database records.

7 Second, there is nothing whatsoever in Goldman that is directed to  
8 determining a "location" or using a hierarchical tree structure to determine  
9 location, as that term is utilized in Applicant's specification. Goldman appears to  
10 simply be directed to systems and methods that process information associated  
11 with a database so that the information can be presented for viewing by a user.

12 It is unclear, at best, how Goldman's presentation teachings could be  
13 incorporated with Dowling's disclosure to render obvious a method that  
14 determines a location of a portable device by accessing one or more hierarchical  
15 tree structures each of which comprising multiple nodes that represent physical or  
16 logical locations and traversing at least one node on the one or more hierarchical  
17 tree structures to ascertain a device location. As such, Applicant submits that the  
18 Office has failed to establish a *prima facie* case of obviousness and this claim is  
19 allowable.

20 **Claims 3-19** depend from claim 2 either directly or indirectly and are  
21 allowable as depending from an allowable base claim. These claims are also  
22 allowable for their own recited features which, in combination with those recited  
23 in claim 2, are neither disclosed nor suggested in the references of record, either  
24 singly or in combination with one another.



1       **Claim 20** recites a method of operating a portable computing device  
2 comprising:

- 3
- 4       • *determining a location of the portable computing device by*  
5 *accessing one or more hierarchical tree structures comprising*  
6 *multiple nodes that represent physical or logical locations; and*  
7 *traversing at least one node on the one or more hierarchical tree*  
8 *structures to ascertain a device location;*
- 9       • acquiring one or more applets associated with the determined  
10 location; and
- 11       • locally executing the one or more applets sufficient to interact with a  
12 location environment.

13       In making out the rejection of this claim, the Office argues, with respect to  
14 the bold italicized subject matter, essentially the same combination and rationale  
15 using the Dowling and Goldman references. Applicant respectfully disagrees with  
16 the Office's interpretation and application of the references and submits that the  
17 Office has not established a *prima facie* case of obviousness.

18       First, consider Goldman's *specific teachings* against the backdrop of the  
19 problem described in its background section. Specifically, Goldman is concerned  
20 with providing a meaningful and easy way to access information in an information  
21 repository, i.e. a database, that provides the detail of information available from a  
22 custom program without the time and expense of creating one, as well as the cost-  
23 effectiveness of querying an information repository without the uncertainties of  
24 results and the inefficiencies in obtaining them. See, e.g. column 2, lines 41-50.

25       Goldman's solutions, as described in the excerpt above, are directed to  
using an information model to create a hierarchy that allows a user to *see* two  
things—first, the user can *see* how information in an information repository is

1 organized and various information relationships, e.g. relationships between data  
2 such as database fields and records in the database. Second, Goldman's database-  
3 derived hierarchy allows a user to view logical subsets of database records.

4 Second, there is nothing whatsoever in Goldman that is directed to  
5 determining a "location" or using a hierarchical tree structure to determine  
6 location, as that term is utilized in Applicant's specification. Goldman appears to  
7 simply be directed to systems and methods that process information associated  
8 with a database so that the information can be presented for viewing by a user.

9 It is unclear, at best, how Goldman's presentation teachings could be  
10 incorporated with Dowling's disclosure to render obvious a method that  
11 determines a location of a portable device by accessing one or more hierarchical  
12 tree structures comprising multiple nodes that represent physical or logical  
13 locations and traversing at least one node on the one or more hierarchical tree  
14 structures to ascertain a device location. As such, Applicant submits that the  
15 Office has failed to establish a *prima facie* case of obviousness and this claim is  
16 allowable.

17 Claims 21-30 depend either directly or indirectly from claim 20 and are  
18 allowable as depending from an allowable base claim. These claims are also  
19 allowable for their own recited features which, in combination with those recited  
20 in claim 20, are neither disclosed nor suggested in the references of record, either  
21 singly or in combination with one another. In addition, given the Office's failure  
22 to establish a *prima facie* case of obviousness with respect to claim 20, the  
23 rejection of claim 22 over the combination with Fulton is not seen to add anything  
24 of significance.  
25

1       **Claim 32** has been rewritten in independent form to include the subject  
2 matter from claim 31 from which it formerly depended. Claim 32 recites one or  
3 more computer-readable media having computer-readable instructions thereon  
4 which, when executed by a portable computer device, cause the computing device  
5 to:

- 6       • ***determine its location by accessing one or more hierarchical tree***  
7 ***structures each of which comprising multiple nodes that represent***  
8 ***physical or logical locations, and traversing at least one node on***  
9 ***the one or more hierarchical tree structures to ascertain a device***  
10 ***location;***  
11       • generate a service query that is configured to identify services that  
12 are associated with the location;  
13       • wirelessly send the query to one or more servers;  
14       • receive a response from the one or more servers that contains digital  
15 data associated with applets that can be executed by the device and  
16 that provide a location-specific service; and  
17       • locally execute the one or more applets to interact with a location  
18 environment.

19       In making out the rejection of this claim, with respect to the subject matter  
20 appearing in the bold italics above, the Office essentially argues the same  
21 combination and rationale using the Dowling and Goldman references. Applicant  
22 respectfully disagrees with the Office's interpretation and application of the  
23 references and submits that the Office has not established a *prima facie* case of  
24 obviousness.  
25

      First, consider Goldman's *specific teachings* against the backdrop of the  
problem described in its background section. Specifically, Goldman is concerned  
with providing a meaningful and easy way to access information in an information  
repository, i.e. a database, that provides the detail of information available from a

1 custom program without the time and expense of creating one, as well as the cost-  
2 effectiveness of querying an information repository without the uncertainties of  
3 results and the inefficiencies in obtaining them. See, e.g. column 2, lines 41-50.

4 Goldman's solutions, as described in the excerpt above, are directed to  
5 using an information model to create a hierarchy that allows a user to *see* two  
6 things—first, the user can *see* how information in an information repository is  
7 organized and various information relationships, e.g. relationships between data  
8 such as database fields and records in the database. Second, Goldman's database-  
9 derived hierarchy allows a user to *view* logical subsets of database records.

10 Second, there is nothing whatsoever in Goldman that is directed to  
11 determining a "location" or using a hierarchical tree structure to determine  
12 location, as that term is utilized in Applicant's specification. Goldman appears to  
13 simply be directed to systems and methods that process information associated  
14 with a database so that the information can be presented for viewing by a user.

15 It is unclear, at best, how Goldman's presentation teachings could be  
16 incorporated with Dowling's disclosure to render obvious the subject matter of  
17 this claim which is recited to determine a location of a portable device by  
18 accessing one or more hierarchical tree structures each of which comprising  
19 multiple nodes that represent physical or logical locations, and traversing at least  
20 one node on the one or more hierarchical tree structures to ascertain a device  
21 location. As such, Applicant submits that the Office has failed to establish a *prima*  
22 *facie* case of obviousness and this claim is allowable.

23 Claims 33-39 depend either directly or indirectly from claim 32 and are  
24 allowable as depending from an allowable base claim. These claims are also  
25 allowable for their own recited features which, in combination with those recited

1 in claim 32, are neither disclosed nor suggested in the references of record, either  
2 singly or in combination with one another. In addition, given the Office's failure  
3 to establish a *prima facie* case of obviousness with respect to claim 32, the  
4 rejection of claim 37 over the combination with Fulton is not seen to add anything  
5 of significance.

6 **Claim 41** has been rewritten in independent form to include the subject  
7 matter of claim 40 from which it formerly depended. Claim 41 recites a computer  
8 architecture comprising:

- 9
- 10 • a location service module configured to wirelessly receive location  
11 information and *ascertain a location associated with the location*  
12 *information by accessing one or more hierarchical tree structures*  
13 *each of which comprising multiple nodes that represent physical or*  
14 *logical locations and traversing at least one node on the one or*  
15 *more hierarchical tree structures to ascertain a device location;*  
16 and  
17 • an applet manager operably associated with the location service  
18 module and configured to receive and manage applets that can be  
19 wirelessly received and that pertain to a location that is ascertained  
20 by the location service module, the applets being configured to  
21 enable a user of a computer device to interact with a location  
22 environment.

18 In making out the rejection of this claim, with respect to the subject matter  
19 appearing in the bold italics above, the Office essentially argues the same  
20 combination and rationale using the Dowling and Goldman references. Applicant  
21 respectfully disagrees with the Office's interpretation and application of the  
22 references and submits that the Office has not established a *prima facie* case of  
23 obviousness.  
24  
25

1 First, consider Goldman's *specific teachings* against the backdrop of the  
2 problem described in its background section. Specifically, Goldman is concerned  
3 with providing a meaningful and easy way to access information in an information  
4 repository, i.e. a database, that provides the detail of information available from a  
5 custom program without the time and expense of creating one, as well as the cost-  
6 effectiveness of querying an information repository without the uncertainties of  
7 results and the inefficiencies in obtaining them. See, e.g. column 2, lines 41-50.

8 Goldman's solutions, as described in the excerpt above, are directed to  
9 using an information model to create a hierarchy that allows a user to *see* two  
10 things—first, the user can *see* how information in an information repository is  
11 organized and various information relationships, e.g. relationships between data  
12 such as database fields and records in the database. Second, Goldman's database-  
13 derived hierarchy allows a user to *view* logical subsets of database records.

14 Second, there is nothing whatsoever in Goldman that is directed to  
15 ascertaining a "location" or using a hierarchical tree structure to ascertain a  
16 location, as that term is utilized in Applicant's specification. Goldman appears to  
17 simply be directed to systems and methods that process information associated  
18 with a database so that the information can be presented for viewing by a user.

19 It is unclear, at best, how Goldman's presentation teachings could be  
20 incorporated with Dowling's disclosure to render obvious the subject matter of  
21 this claim which is recited to ascertain a location associated with location  
22 information that is received, by accessing one or more hierarchical tree structures  
23 each of which comprising multiple nodes that represent physical or logical  
24 locations, and traversing at least one node on the one or more hierarchical tree  
25 structures to ascertain a device location. As such, Applicant submits that the

1 Office has failed to establish a *prima facie* case of obviousness and this claim is  
2 allowable.

3 **Claims 42-46** depend from claim 41 and are allowable as depending from  
4 an allowable base claim. These claims are also allowable for their own recited  
5 features which, in combination with those recited in claim 41, are neither disclosed  
6 nor suggested in the references of record, either singly or in combination with one  
7 another.

8 **Claim 48** has been rewritten in independent form to include the subject  
9 matter of claim 47, from which it formerly depended. Claim 48 recites a handheld  
10 computing device comprising:

- 11 • a location service module configured to receive location information  
12 and *ascertain a location associated with the location information*  
13 *by accessing one or more hierarchical tree structures each of*  
14 *which comprising multiple nodes that represent physical or logical*  
15 *locations, and traversing at least one node on the one or more*  
16 *hierarchical tree structures to ascertain a device location;*
- 17 • an applet manager operably associated with the location service  
18 module and configured to receive and manage applets that can be  
19 wirelessly received and that pertain to a location that is ascertained  
20 by the location service module;
- 21 • an applet runtime environment in which applets that are received can  
22 execute to enable a user of the device to interact with a location  
23 environment;
- 24 • an applet cache in which applets can be cached for use in connection  
25 with an ascertained location; and
- a network component configured to establish wireless  
communication with a network so that applets can be wirelessly  
received.

23 In making out the rejection of this claim, with respect to the subject matter  
24 appearing in the bold italics above, the Office essentially argues the same  
25

1 combination and rationale using the Dowling and Goldman references. Applicant  
2 respectfully disagrees with the Office's interpretation and application of the  
3 references and submits that the Office has not established a *prima facie* case of  
4 obviousness.

5 First, consider Goldman's *specific teachings* against the backdrop of the  
6 problem described in its background section. Specifically, Goldman is concerned  
7 with providing a meaningful and easy way to access information in an information  
8 repository, i.e. a database, that provides the detail of information available from a  
9 custom program without the time and expense of creating one, as well as the cost-  
10 effectiveness of querying an information repository without the uncertainties of  
11 results and the inefficiencies in obtaining them. See, e.g. column 2, lines 41-50.

12 Goldman's solutions, as described in the excerpt above, are directed to  
13 using an information model to create a hierarchy that allows a user to *see* two  
14 things—first, the user can *see* how information in an information repository is  
15 organized and various information relationships, e.g. relationships between data  
16 such as database fields and records in the database. Second, Goldman's database-  
17 derived hierarchy allows a user to *view* logical subsets of database records.

18 Second, there is nothing whatsoever in Goldman that is directed to  
19 ascertaining a "location" or using a hierarchical tree structure to ascertain a  
20 location, as that term is utilized in Applicant's specification. Goldman appears to  
21 simply be directed to systems and methods that process information associated  
22 with a database so that the information can be presented for viewing by a user.

23 It is unclear, at best, how Goldman's presentation teachings could be  
24 incorporated with Dowling's disclosure to render obvious the subject matter of  
25 this claim which is recited to ascertain a location associated with location



1 information that is received, by accessing one or more hierarchical tree structures  
2 each of which comprising multiple nodes that represent physical or logical  
3 locations, and traversing at least one node on the one or more hierarchical tree  
4 structures to ascertain a device location. As such, Applicant submits that the  
5 Office has failed to establish a *prima facie* case of obviousness and this claim is  
6 allowable.

7  
8 **Conclusion**

9 All of the claims are in condition for allowance. Applicant respectfully  
10 requests a Notice of Allowability be issued forthwith. If the Office's next  
11 anticipated action is to be anything other than issuance of a Notice of Allowability,  
12 Applicant respectfully requests a telephone call for the purpose of scheduling an  
13 interview.

14 Respectfully Submitted,

15  
16 Dated: 10/30/03

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